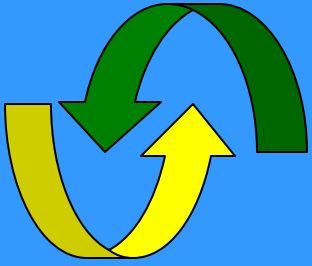


# TRANSFER OF DEVELOPMENT RIGHTS

Working to Protect Farmlands and  
Encourage Smart Growth in the Pioneer  
Valley



Hadley Farmland, Chris Curtis



# TRANSFER OF DEVELOPMENT RIGHTS

## The Case for TDR / Threats to farmland

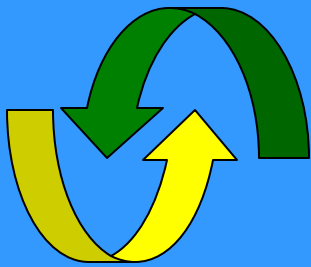


View of the Range from Hadley, Chris Curtis

➤ AFT named Pioneer Valley named one of the most threatened farm regions in US

➤ In 15 years, region lost almost 23,000 acres or 20.6% of its farmland

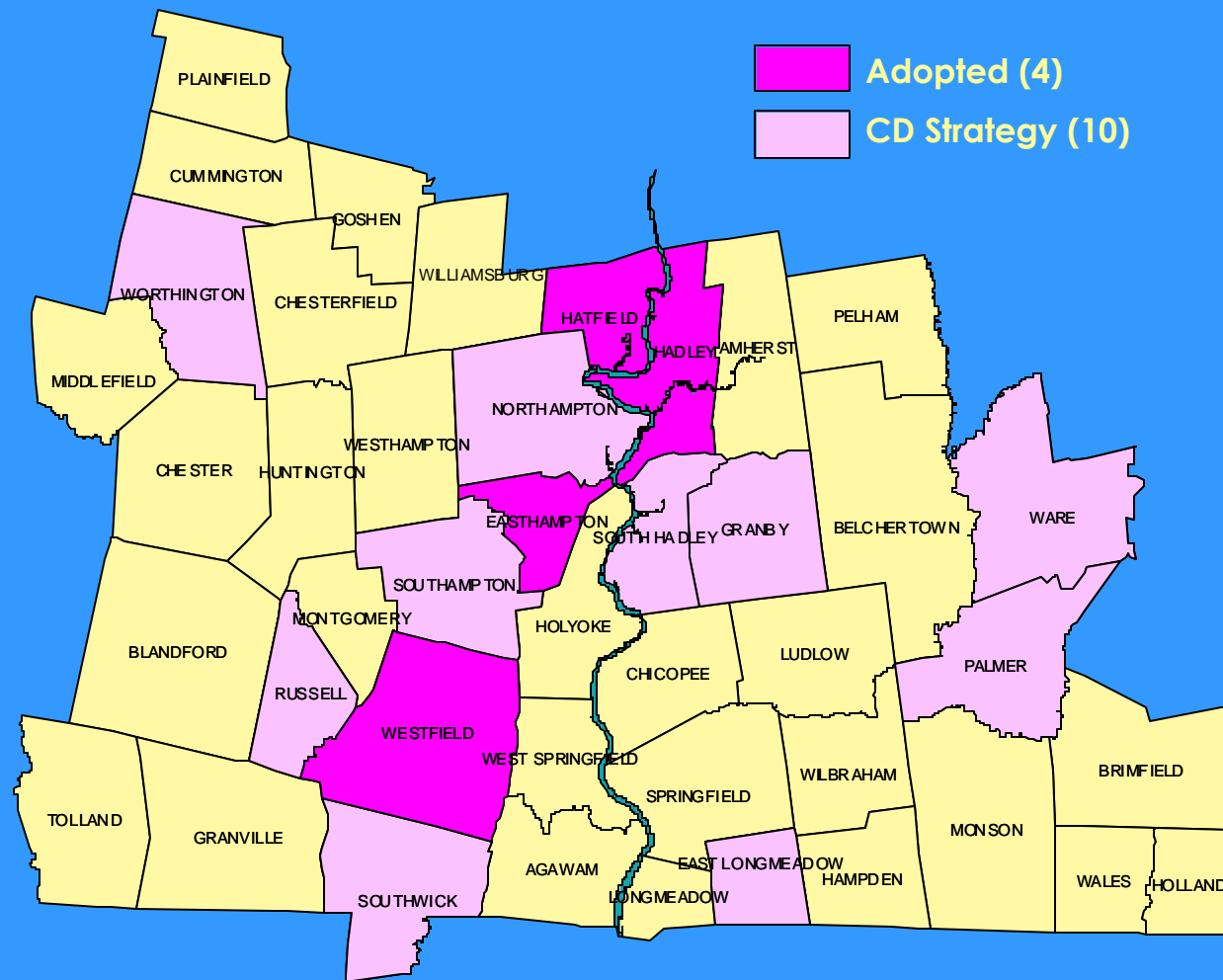
➤ Residential sprawl, particularly large-lot ANR development is major cause for loss of farmland

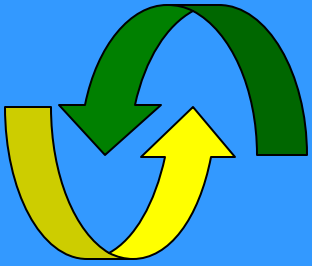


# TRANSFER OF DEVELOPMENT RIGHTS

## Communities with Adopted TDR Bylaws/Ordinances in the Pioneer Valley

Hadley  
Hatfield  
Westfield  
Easthampton





# TRANSFER OF DEVELOPMENT RIGHTS

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## Unique Bylaw Features of Adopted TDR Bylaws/Ordinances

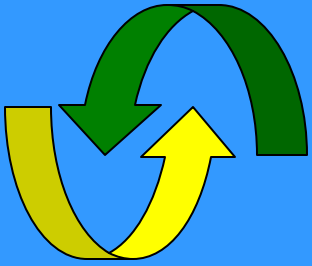
Hadley – Features a transfer of residential for commercial or industrial development rights (a first nationally).

Hatfield - Features a transfer of residential for commercial or industrial development rights. Voluntary registry of willing sellers.

Westfield - Features a transfer of residential for commercial or industrial development rights. Voluntary registry of willing sellers.

Easthampton – Sending Area includes not only farmland, but Mount Tom and Manhan River corridor. Features a transfer of residential for residential or commercial or industrial development rights. Voluntary registry of willing sellers. TND development standards for Receiving Area.



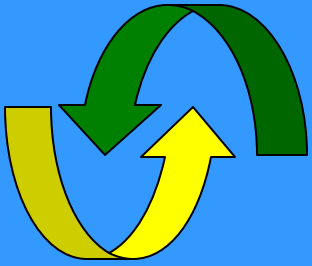


# TRANSFER OF DEVELOPMENT RIGHTS

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## TDR Exchange Processes

- One acre farmland = 2000 sf commercial/industrial floor area plus a 5% increase in lot coverage or reduction of 20 parking spaces
- or 1.2 residential building units plus 5% increase in lot coverage
- Option for cash payment in lieu of transfer.

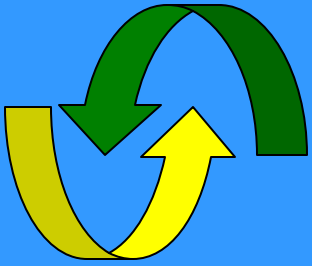


# TRANSFER OF DEVELOPMENT RIGHTS

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## How It Works

- Farmer owns 16 acres of land
- 11 acres are developable after subtracting home, wetlands, future roads
- Eleven development rights to transfer
- Sells at fair market value of \$270,000
- Developer owns 17 acres of land
- Current zoning allows 60,000 sf of buildings plus 120,000 sf of required parking
- Buys 11 development rights from farmer
- Allows 82,000 sf of buildings
- Reduces parking by 44,000 sf to 120,000 sf
- Additional building area valued at \$347,000



# TRANSFER OF DEVELOPMENT RIGHTS

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## Completed TDR Transactions in the Pioneer Valley Region to Date



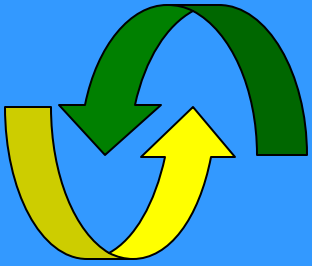
Hadley Farm, Chris Curtis

Hadley – Four transactions: total  
income \$338,772

Hatfield – none

Westfield – none

Easthampton – none



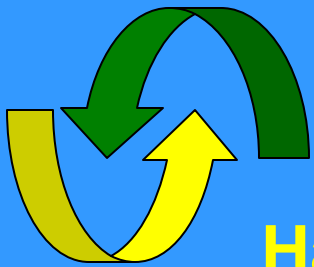
# TRANSFER OF DEVELOPMENT RIGHTS

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## Progress Report on Hadley TDR Bylaw

- Projects with approved TDR density bonuses – 4
- Cash payments in lieu of transfers- 4
- Total payments to date \$338,772
- Pending payments: \$132,000
- Average APR Appraised Value Per Acre (Last 3 Years) - \$15,092
- Estimated Farm Acreage with APRs funded through TDR – 163 acres to date, 300 acres estimated total





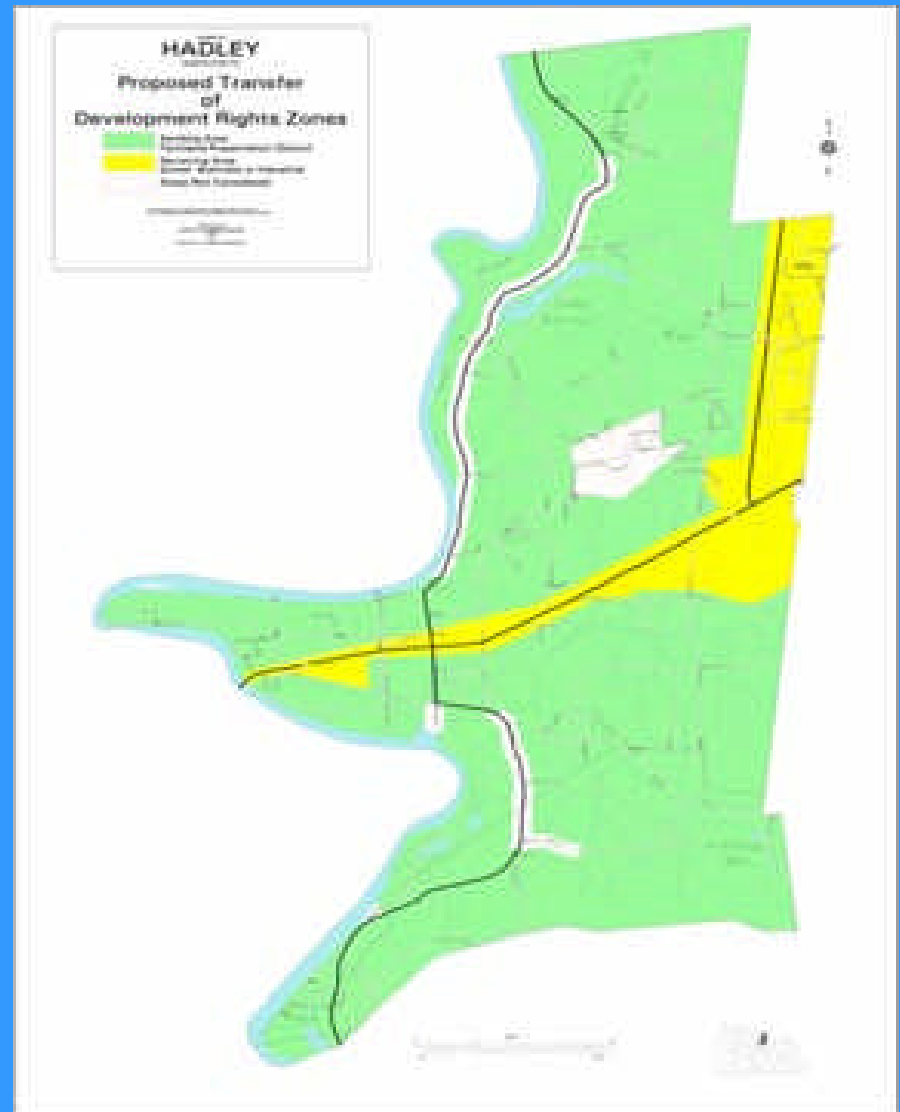
# TRANSFER OF DEVELOPMENT RIGHTS

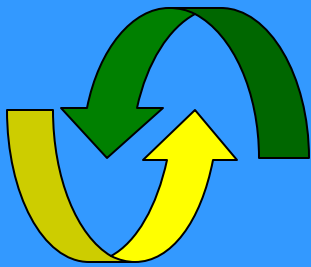
## Hadley Sending and Receiving Areas

### Farmland Preservation District:

All land within the Agricultural/Residential Zone. All parcels of developable farmland, as defined herein, of at least five acres will be eligible for transfer of development rights.

Receiving District: All lots within the Business and Industrial Zones with frontage on Route 9, Mill Valley Road or North Maple Street.

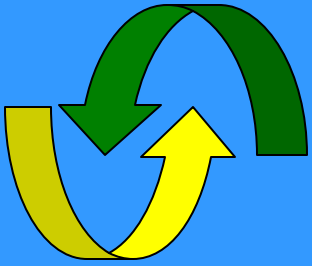




# TRANSFER OF DEVELOPMENT RIGHTS

## Completed TDR Farm Purchases in Hadley

<u>Owner</u>	<u>Acres</u>	<u>Total APR Price</u>	<u>Town/TDR Share</u>
Jekanowski	21	\$250,000	\$35,000
Lesko/Majewski	6	\$157,000	\$10,000
Izer	5	\$42,000	\$2,000
Dwyer	33	\$722,000	\$72,000
Zaskey	39	\$900,000	\$50,000
Kokoski	54	\$415,000	\$17,500
Total To Date	163	\$2,486,000	\$186,500
Proposed Purchases:			
Schwartz	23	\$460,000	\$46,000
Wanczyk	25	?	?
TOTALS	211		

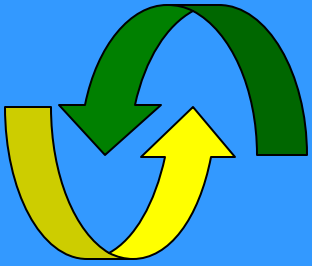


# TRANSFER OF DEVELOPMENT RIGHTS

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## Lessons Learned

- TDR can be used to protect more than just farmland
- Income stream from TDR transactions is unpredictable
- Actual transfer of rights too expensive for small transactions or acreages
- CR costs and timeframes are a burden
- Unreasonable to expect out-of-town developers to contact farmers
- Ag Commission should maintain list of interested farmers
- Communities may need to “market” their TDR ordinances to developers



# TRANSFER OF DEVELOPMENT RIGHTS

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## Conclusions

- TDR is not a panacea or universal remedy for the loss of farmland
- TDR can be an effective part of an overall farmland preservation strategy
- TDR can protect significant acreages of farmland, particularly when used to leverage state APR funds